

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JAMES CLARKE, et al.,	:	CIVIL ACTION
	:	NO. 08-468
Plaintiffs,	:	
	:	
v.	:	
	:	
BERNON LANE, et al.,	:	
	:	
Defendants.	:	

O R D E R

AND NOW, this **31st** day of **March, 2010**, for the reasons provided in the accompanying Memorandum, it is hereby **ORDERED** as follows:

1. Moving Defendants' first motion to dismiss Plaintiffs' amended complaint (doc. no. 83) is **DENIED in part and GRANTED in part**. It is **granted** with respect to Plaintiffs Anderson, Clarke, Charles, Taylor, Coleman, Chapolini and Cruz and **denied** with respect to Plaintiff Pastrana;

2. CEC Defendants' second motion to dismiss or, in the alternative, for summary judgment (doc. no. 85) is **DENIED in part and GRANTED in part**. The motion to dismiss is **granted** with respect to Plaintiffs Anderson, Clarke, Charles, Taylor, Coleman, Chapolini and Cruz and **denied** with respect to Plaintiff Pastrana. The motion for summary judgment, in the alternative, is **DENIED**

without prejudice.

3. Plaintiffs' motion for class certification (doc. no. 72) is **GRANTED**. It is further ordered that Plaintiff is designated as class representative.

AND IT IS SO ORDERED.

s/ Eduardo C. Robreno
EDUARDO C. ROBRENO, J.